

FILED

United States District Court
Albuquerque, New Mexico

Mitchell R. Elfers
Clerk of Court

IN THE UNITED STATES DISTRICT

COURT OF NEW MEXICO

KYLE SANDAU,
MARK DOTY,
REBECCA KAISER,

Plaintiffs,

v.

Civil Case No. 1:21-cv-00426-JHR

ZOE FENN OLD, Personal Representative of
the Estate of Forrest Burke Fenn, deceased,
SAN LAZARO HOLDING COMPANY LLC,
SHILOH FORREST OLD,
WILLIAM BRADLEY SATHER,
COLLECTED WORKS BOOKSTORE
AND COFFEEHOUSE,
JONATHAN KENNETH STUEF,

Jury Demand: Yes. No.

Defendants.

COMPLAINT FOR A CIVIL ACTION

This timely Complaint is being brought in good faith by Plaintiffs against Defendants for their direct and or indirect roles, known as well as unknown, in a treasure hunt that involved a memoir released in 2010 containing a poem by the deceased, Forrest Burke Fenn, that then purportedly led to a bronze treasure chest full of gold, jewels and other such rare and valuable artifacts, but was instead constructively, knowingly and fraudulently deprived from any and all of Plaintiffs past, current and or future ongoing rights and other such privileges and considerations pertaining to and for it.

CAUSE OF ACTION FOR THE COMPLAINT

1. The basis for this Complaint is premised on ***fraudulent actions taken by Defendants***, and with legal considerations for the following items **(a) - (e)** listed herein;

(a). It was agreed upon and then stated as fact by Defendants, together or in part, that the bronze chest and gold were found in the state of Wyoming, and the only purported stated fact to date, whereas Plaintiffs claim this to have been an obvious omission and complete misrepresentation and total fabrication of the true facts that all go to suggest otherwise.

(b). Plaintiffs claim that the Defendants had intentionally deceived them by purposely providing numerous false statements of fact over several years.

(c). Due to these material misrepresentations of fact by Defendants, Plaintiffs had no other choice but to rely on them as actual and true until such a time that the bronze chest and gold were recovered with another more correct and plausible solution and explanation to its true location than that of their own, yet no evidence to date provided by Defendants support this as to having been the case upon and or after its recovery.

(d). As the misrepresentations and denials from over the years by the Defendants were so numerous and varied, they eventually had the effect of becoming nothing short of reasonably believable by the Plaintiffs, and without the bronze chest and gold to show and or answer for them otherwise, and which most any reasonable person would tend to believe and agree with, as there was truly no other way to either prove nor disprove any of the facts until the bronze chest and gold had been found, and which Defendant claims to have been done simply through publicly available sources via two (2) slip ups in the media, which just cannot be true.

(e). Plaintiffs having been now deprived of their rightful property for as long as they have and therefore have suffered numerous damages as a result of having come to rely on as fact the multiple misrepresentations of the Defendants, together or in part, and have therefore been further deprived of being able to have capitalized on the bronze chest and all its contents from

its rental to be shown, to book and movie deals, to product and ad placements, and up to and including, but not limited to, its eventual sale or auction, and which when taken as a whole is well into the *multiple millions of dollars* in losses, past, current and future.

PARTIES TO THE COMPLAINT

2. Plaintiff Kyle Merance Sandau, pro se, is currently a resident of Seattle, King County, Washington.
3. Plaintiff Mark Gary Doty, pro se, is currently a resident of Vermillion, Clay County, South Dakota.
4. Plaintiff Rebecca Joann Kaiser, pro se, is currently a resident of Mission Hill, Yankton County, South Dakota.
5. Defendant Zoe Fenn Old is currently a resident of Santa Fe, New Mexico, Santa Fe County.
6. Defendant San Lazaro Holding Company LLC is currently a legally registered State of New Mexico Corporation based out of Santa Fe, Santa Fe County, New Mexico.
7. Defendant Shiloh Forrest Old is currently a resident of Santa Fe, New Mexico, Santa Fe County.
8. Defendant William Bradley Sather is currently a resident of Round Rock, Texas and upon information and belief meets the “minimum contacts” requirement due to personal land ownership in Santa Fe County, New Mexico, as well as being the mailing contact for separate land owned by San Lazaro Holding Company LLC in Santa Fe County, New Mexico.
9. Defendant Collected Works Bookstore and Coffeehouse, owned and operated by Dorothy Massey, is a legally registered and operated commercial business with the State of New Mexico and is based out of Santa Fe, Santa Fe County, New Mexico.

10. Defendant Jonathan Kenneth Stuef and his physical whereabouts are currently unknown, although, upon information and belief, he meets the “minimum contacts” requirement due to substantial physical goods, namely a bronze treasure chest full of gold and other valuable artifacts that he now claims sole ownership of and that are at the heart of this Complaint, and which is, upon information and belief, located in and or around Santa Fe, Santa Fe County, New Mexico, and, upon information and belief, having hired an attorney in and or around Santa Fe, Santa Fe County, New Mexico to represent him in any and all legal matters related to said physical goods.

11. This Court has sole jurisdiction over all parties listed in this matter due to the controversy exceeding the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States based on Diversity of Citizenship 28 U.S.C. § 1332.

ADDITIONAL INFORMATION CONCERNING PARTIES WITHIN THE COMPLAINT

12. Plaintiff pro se Kyle Sandau (“**Sandau**”) is a father, upstanding citizen in his community and has worked in the field of technology for 30 years.

13. Plaintiff pro se Mark Doty (“**Doty**”) is a father, upstanding citizen in his community and has worked in management within the field of manufacturing for 23 years.

14. Plaintiff pro se Rebecca Kaiser (“**Kaiser**”) is a mother, upstanding citizen in her community and has worked in the field of healthcare as a nurse for 15 years.

15. Defendant Zoe Fenn Old (“**Old**”) is the Personal Representative, and eldest daughter, of the Estate (the “**Estate**”) of Forrest Burke Fenn (“**Fenn**”), deceased.

16. Defendant San Lazaro Holding Company LLC (the “**Corporation**”) is the legal entity that owns the San Lazaro Pueblo Ruins (“**San Lazaro**”), and is part of the ongoing Fenn Estate

probate.

17. Defendant Shiloh Forrest Old (“**Shiloh**”) is the grandson and former trusted confidant of Fenn, and upon information and belief has played an ongoing and very vital and pivotal role to help perpetuate and or cover up the fraudulent ending to the Chase.

18. Defendant William Bradley “Brad” Sather (“**Sather**”) upon information and belief was “*Goofy*” and or “*Goofy_Old_Guy*” from Dal Neitzel’s (“**Neitzel**”) now defunct blog on the Chase, and of which Neitzel was always clearly well aware of, and formerly found at <https://dalneitzel.com>. Sather owns land not far from San Lazaro, of which he also has the taxes and other such mail sent to his own business address of ESP Spares Inc in Georgetown, Texas, and was targeted along with Fenn in the federal undercover *Operation Cerberus Action* investigation and raids of 2006 - 2009.

19. Defendant Collected Works Bookstore and Coffeehouse (“**Collected Works**”) was throughout the Chase, and still is, the sole authorized bookseller for ‘*The Thrill of the Chase*’, apparently owning the book but not the actual copyright to it, and is purportedly using a portion of the overall proceeds from the sale of the book to benefit an unknown cancer charity fund, and a cancer charity fund which is suspiciously shrouded in a complete mystery to this very day.

20. Defendant Jonathan Kenneth Stuef aka Jack Stuef (“**Stuef**”), upon information and belief, is the purported “finder” now in dispute within this Complaint of the bronze treasure chest containing gold, jewelry, rare artifacts and other such unknown valuables.

21. Forrest Burke Fenn (“**Fenn**”), deceased aged 90 on September 7, 2020, and of the Estate for the main cause of this Complaint, who wrote a poem and hid a treasure, was an Air Force veteran, art business owner, author, artist, especially in the art of telling tall tales, husband,

father and grandfather, as well as a rather proud liar, although Fenn always referred to his lying as “*embellishing*”, grave looter and plunderer of rare artifacts, and who was also the ringleader directly responsible for orchestrating and or perpetrating the fraud alleged herein, along with the other Defendants mentioned within this Complaint, either directly and or indirectly, knowingly and or unknowingly.

22. Although not currently direct defendants to this specific Complaint itself, the following individuals and or parties, upon information and belief, perhaps not specifically and or previously named herein, did and or had played a role, directly and or indirectly, knowingly and or unknowingly, connected to this Complaint, and are therefore being made known here and now for the record; *Crayton Fenn* of Shoreline, Washington, *Terri Fenn* of Shoreline, Washington, *Kelly Fenn Sparks* of Santa Fe, New Mexico, *Mika Old* of Santa Fe, New Mexico, *Dal Neitzel* of Lummi Island, Washington, *Ric Hajovsky* of Cozumel, Mexico, *Douglas Preston* of Santa Fe, New Mexico, *Richard Blake* of Santa Fe, New Mexico, *Roseta Santiago* of Santa Fe, New Mexico, *Marie Romero Cash* of Santa Fe, New Mexico, *Charmay Allred* formerly of Santa Fe, New Mexico (deceased as of April 8, 2020) and *Suzanne Somers* of Beverly Hills, California.

23. Due to the nature and rules of this legal action brought by Plaintiffs against Defendants named herein, Plaintiffs will later be required to bring a separate legal action in the Washington State Courts against *Crayton Fenn*, *Terri Fenn* and *Dal Neitzel* as they are all currently residents of the same state as Plaintiff Sandau as of June 30, 2021, because just as Fenn had always said to roll over every log and see what's under there.

24. The stark reality here though is that Defendants brought this all upon themselves, just like

Fenn who had also stubbornly refused to do the right thing time and again, but when millions upon millions of dollars, that truly and morally is not their own to claim, is on the line then apparently anything goes, illegal, immoral and or otherwise, but Fenn, a lonely, old man with a massive ego that continually needed to be fed, had recklessly gambled with his wealth and possessions that he'd acquired over his lifetime in his relentless pursuit for selfish fame and immortality, and when all was said and done he dealt Plaintiffs the worst hand of them all, and in this case the House of Fenn must not ever be allowed to win in such an underhanded and despicable fashion.

25. Santa Fe attorney Karl H. Sommer ("Sommer") is simply an abusive bully, and his current and ongoing lowbrow behaviors and other such dirty shenanigans and sleazy tactics will simply not be tolerated by Plaintiffs in any way, shape or form going forward, and most certainly should not be tolerated by this Court, nor any others for that matter. If Sommer keeps it up, he is either going to find himself suspended from practicing law for a currently indeterminate amount of time, or even possibly see his license to practice law being fully revoked by the governing body of the State of New Mexico which oversees and regulates his profession, and who has the sole and absolute authority and power to do so. Sommer has already been previously warned and put on notice by Plaintiffs, and hopefully he fully heeds that one and only warning.

26. Although obviously not Defendants in this legal action, the Court and or possible future Jury itself must be able to truly understand and comprehend the *rather unique and highly complex* content and context of this Complaint itself, especially concerning the Native Pueblo Peoples and how Fenn related to them and had then incorporated it all into his Chase, in order to then ever properly and or justly be able to rule upon and or come to a final and just

conclusion(s) in this matter.

27. The entire Fenn and Chase situation is clearly a **massive black eye**, as well as a **complete and total embarrassment**, on and for not only the city and county of Santa Fe, New Mexico, but also the State of New Mexico itself, along with all those involved in its ongoing coverup, and if this Complaint gets botched by legal loopholes, poor rulings and or otherwise it will absolutely and immediately be appealed to a higher Court of Law outside the State of New Mexico where, and with all due respect to this Court, there isn't so much at stake for so many different people, and so many *obvious* and *glaring* conflicts of interest such as the ones going on in the Probate Court of Judge Curtis J. Mathew of the First Judicial District Court of New Mexico who is currently overseeing the Fenn Estate. Plaintiffs are not here to worry about possibly offending anyone, they are here for one thing and one thing only, and that's absolute **justice** - <https://dictionary.law.com/Default.aspx?selected=1086>

STATEMENTS OF CLAIM FOR CIVIL ACTION

28. On June 10, 2009 Fenn, along with several other "arrowhead collectors", were raided by local, state and federal authorities, namely among them the BLM (Bureau of Land Management), FBI (Federal Bureau of Investigations) and NMGF&P (New Mexico Game, Fish & Parks), after a years long undercover operation codenamed *Operation Cerberus Action* ("Cerberus") for the illicit looting and trading of Native artifacts. During the raids, several artifacts were confiscated by authorities from Fenn's home, yet both Fenn and his attorney went on a PR spin in the press to deny it and instead blame the big, bad government for Fenn's ongoing woes, and which is the exact same PR tactic that Old, Sommer and the other Defendants are, and have always been, using now concerning the fraudulent ending to Fenn's

Chase.

29. On October 25, 2010 Fenn released '*The Thrill of the Chase*' (the "**Memoir**") featuring stories of his life and adventures, including a cryptic poem (the "**Poem**") daring anyone to try and solve with then purportedly lead a bronze treasure box (the "**Chest**") full of gold, jewels, artifacts and other unnamed items of significant value.

30. Sandau first became aware of Fenn and his Memoir and Chase through a story on Google News about a missing searcher, the late Mr. Randy Bilyeu, sometime in later January 2016, then relaying it to his family, including Kaiser, mostly as an interesting aside due to Sandau and Kaiser's late mother, Marjorie, and aunt, Pat, being involved together with a famous treasure hunt in the 1980s titled '*Treasure: In Search of the Golden Horse*' during its entire 5-year run.

31. Later Kaiser asked Sandau if he had looked into the story of Fenn and his Chase any further, which he had not, then decided to take a go at it, mostly out of curiosity, and within the first few hours of looking into the Chase, Sandau located the long since deleted original origin story about Fenn via the Archive.org Wayback Machine, including tantalizing portions since missing from Fenn's more recent tellings of his very first arrowhead with a *thunderstorm, mud* and his "*rainbow*", and which was completely missed by **all other searchers** up until that point.

32. Sandau posing as the father of a college student studying archeology contacted Hajovsky via email on numerous occasions in 2016 about *Lost Kivas*, Sandau unable to get Hajovsky to mention Fenn by name nor the Chase. Hajovsky stated to Sandau he had no copies of *Lost Kivas* available for sale.

33. Fenn had planned his Chase all along, just as he'd said, but Cerberus, along with Fenn's age is what ultimately pushed him to actually do it and set off a decade long hunt full of the very

best of human nature to the very worst of it as well. Even if Fenn wasn't directly responsible for any searcher deaths to start out with, he was certainly morally and ethically responsible, and especially after the death of the first searcher and after Plaintiffs had truly all but ended the Chase as far back as 2016. Fenn really can't have it both ways, to have everyone go through all of that for over a decade now, then he dies and leaves it all a mystery, and a mystery that clearly isn't what it seems.

34. Did Fenn do good things for others throughout his life? Absolutely, without question. Did Fenn also do some very, very bad things throughout his life? Absolutely, without question he did, and often, and with the way the Chase was run and how it had ended truly being the worst of it all.

35. Fenn had been either raided before and or in and under suspicion by authorities or otherwise embroiled in legal actions such as a lawsuit in 1990 involving San Lazaro for decades over disturbing graves, the illicit trading of Native artifacts, graverobbing, looting and other such unsavory behaviors, and many of which, after Fenn had either settled over, escaped the charges and or ran the statute of limitations on, he would then brag about openly as a thumb in the eye to the local, state and or federal government and or other such individuals he did not like and or held a grudge against, and especially those within the field of archeology who held a PhD who always seemed to be against and after Fenn for one thing or another.

36. The only earlier "*Editorial*" that Fenn had left up on his new Old Santa Fe blog for the Chase was listed as being penned on August 24, 2000, and was titled *The Mother of Indiana Jones (a collector strikes back)*, and with nothing in between that blog post for another 10 years until 2011 after the Chase had begun, with essentially everything before that having been either

deleted and or repurposed going forward, such as the parts of Fenn's origin story that were integral to now keeping the secret of helping others to be able to solve the Chase and thus locate the Chest. This one, lone blog post truly set the stage and says it all, along with what this whole Chase that Fenn had created was actually about, and that was mainly his overall revenge against those who Fenn felt had wronged him over the decades, and the first numbered point Fenn makes says it all about where his heart truly lies in that "*1. I am born of you and am nourished by your lectures, your reports, and your beautiful museum displays. Thank you for giving me life.*"

37. Another since deleted Fenn "*Editorial*" aptly titled "*A Telling Story*" was again about the "*under-appraised*" kids that would go out to San Lazaro for a few weeks to excavate, and this story revolved around a kiva at San Lazaro, and where Fenn writes "*We can only imagine what wonderful stories still dwell there in silent repose. One thing for sure, we know they are meant to be told.*", and told in not only *Lost Kivas*, but also in all the other proof and evidence presented herein throughout this complaint.

38. In a video - <https://www.youtube.com/watch?v=9vMX8Q0AQ9Q> - one of numerous ones on San Lazaro that Neitzel took of Fenn, this specific one starts and end with a still frame of Fenn's 2004 Secrets, and *Lost Kivas* nowhere in sight of course, is very telling in that Fenn makes statements such as "*Everytime that I went out there to excavate...I felt like I was part of that.*", and speaking of **evidence**, Fenn states about horseshoes and the phrase '*dead as a doornail*' that "*But I had to prove that to myself, I've never read that anyplace, history doesn't know that, and..and I can prove it, it's dead as a doornail and..the.the.the nail is..is sticking out 3/8ths of an inch, I mean how can you dispute what you're looking at*", and then *the big one* with

"An..an..and that's why we need to excavate these sites, let's don't save 'em for the future, that's a..a stupid idea in my mind, every room that isn't excavated is a book that you'd not going to be able to read, and I want to read 'em, that's why I've protected San Lazaro so much...(gets very emotional)...and I put covenants on that land out there, it's..ah nobody can ever..put a building on it, 160 acres, ruin runs 1,700 feet one way and 1,500 another, but the covenant says no buildings, so, you know I..I don't want population out there.", and there's the 2010 Lost Kivas as one example of a book that all searchers could have read from the start about all of that, if only they had known about it like they long already knew about Fenn's 2004 Secrets on San Lazaro, Fenn's most special place.

39. Fenn all but faking a sale of San Lazaro to Sather and then calling himself the "*ranch foreman with privileges*" out there is just bizarre, and then Fenn seems to all but forget about it for the most part, and that just doesn't make any sense, not unless Fenn was trying to take as much of a spotlight as possible off of it all that is, and which he clearly was doing, him being caught in lie after lie after lie or not, but with Fenn it was just like with the authorities, archeologists and others always after him for all those decades in that to get around it all "*you just keep your mouth shut*".

40. Fenn always knew that the Chest was still out there when asked, though not to ask him just how he knew that, throughout all those ten (10) years or so that the chase was going, and it was simply because he could freely, and without prying eyes, meander out to San Lazaro at his leisure and without suspicion to check on Kiva B anytime he pleased with it being south of Santa Fe, miles down a single county road and behind three separate locked gates along the way.

41. The reason Fenn had often stated that “*there’s a quote in a new book on Joe Devine*”, and which was “*They never knew it was the chase they sought, and not the quarry*”, and that was Fenn all but admitting to everyone that they truly had very little to no chance of ever actually finding the treasure Chest full of gold itself, but rather the “treasure” that’s all around out in nature and the “mountains north of Santa Fe”, or if one likes the later updated version of “the Rocky Mountains north of Santa Fe”. Fenn would double down on this by also often stating that most of the emails he gets from searchers are from people telling him that they know they’re not going to find the Chest, but they thank him anyway for getting them all off the couch, off their little texting devices and out into the wilderness.

42. In or around April 2010 as Cerberus against Fenn wore on, an unknown author to many by the name of Ric Hajovsky (“**Hajovsky**”) started writing a secret book for Fenn titled ‘*The Lost Kivas of San Lazaro*’ (the “**Lost Kivas**”), which was quietly released in an extremely low quantity in 100 copies or less around July 2010, several months prior to Fenn’s own Memoir containing the infamous poem and treasure hunt.

43. Upon information and belief Hajovsky first knew Fenn as far back as 1978 when Fenn’s older brother, William Marvin “Skippy” Fenn, drowned in a diving accident in Cozumel, Mexico, where Hajovsky now again resides having retired back there with his wife Marie-France Lemire in 2011.

44. In June 2019 Stuef published a YouTube video on “confirmation bias”, and Hajovsky magically appeared again right around the same time after all those years posting to popular Chase blogs *Lost Kivas* was now back in print and available on Amazon for \$189 per copy as a print on demand book, available through the same Francisco company *Blurb* that originally

printed it in 2010 in such limited, as well as hushed, copies. Hajovsky made sure to let everyone know just how good of buddies both he and Fenn were, yet Fenn never said one word about Hajovsky nor *Lost Kivas* to his dying day.

45. Hajovsky oddly listed a recent book on his website, alongside *Lost Kivas*, about a plate apparently found at San Lazaro, stating that his “*good friend*” Fenn and he made a deal in June 2019, yet where was Hajovsky all those years, and why hadn’t his “*good friend*” Fenn ever personally spoken of him nor any of these book deals, especially *Lost Kivas*, after all those years.

46. Famed author Douglas Preston, a loyal friend and confidant of Fenn, wrote a novel in 2003 loosely based on Fenn and his plans to hide a treasure titled *The Codex*, stated years ago that Fenn had told him the final clue to the Chase would be that they would find Fenn’s car in the parking lot of *Northern Arizona University*, in the state of Arizona. Suspiciously that story later changed to Fenn’s car being found at the *Museum of Natural History and Science* in Denver, Colorado - <https://youtu.be/PoWbwFZlTyA?t=49> - and Preston clearly knew it was truly, originally and always the parking lot of *Northern Arizona University* in Arizona, he remembers it correctly.

47. The fact is that *Cline Library* located at *Northern Arizona University* housed just one of only three (3) copies of *Lost Kivas* in the state of Arizona, and that was why Fenn’s car would be found there originally, but once Plaintiffs had solved Fenn’s Poem he then had to entirely reimagine his Chase so that it could continue on unabated, no matter the consequences for everyone else still blindly playing his deadly and deceitful game.

48. Not one copy of *Lost Kivas* could be found in any of the other later “official” search states of

Colorado, Wyoming (the purported “find” state) or Montana, and that’s simply because none of those states was ever the true solve state, they were just states to get the simple minded to go look in for the “treasure” that is the great outdoors, leading them father and father away from the Chest, the other “treasure” Fenn always referred to.

49. Fenn, previous to *Lost Kivas*, had himself written a much larger (326 pages) and in depth book on his beloved *San Lazaro* in 2004 titled ‘*The Secrets of San Lazaro Pueblo*’ (“**Secrets**”), and that Fenn publicly spoke of and showed off quite regularly, but, again, Fenn never, not even to his dying day via a likely suicide on September 7, 2020, spoke publicly of the *Lost Kivas* nor of its author Hajovsky, just as Fenn had never, not once, spoken specifically of a man by the name of Stuef before his death.

50. Most individuals in the search community had heard of Fenn’s *Secrets* book on *San Lazaro* at one point or another, but until Sandau came along not one of them had ever heard of *Lost Kivas*.

51. In the *Acknowledgements* of *Lost Kivas* Hajovsky thanks Fenn, Shiloh, Dr. Richard Blake, Dr. Eric Blinman, Marie Romero Cash (“**Cash**”) for providing the history of *San Lazaro*, the late Allred, who apparently edited *Lost Kivas*, and Roseta Santiago (“**Santiago**”) for the cover painting, among a few others, and who were all players, major and minor, knowingly and unknowingly, in Fenn’s Chase.

52. Sandau contacted Santiago in late 2017 about her painting on the front cover of *Lost Kivas*. Santiago thought that Sandau was referring to her painting on one of Fenn’s other books she had done for him titled *Historic American Indian Dolls And The Children Who Played With Them* (“**Indian Dolls**”). Santiago stated that Fenn had given her dance sticks out of a kiva at

San Lazaro in exchange for her painting that was then used on *Lost Kivas*, and also that Fenn and Hajovsky had a major falling out and Hajovsky and his wife had left the country for Mexico years earlier, but that she had known them both well and would contact them.

53. Fenn's final blog entry on Old Santa Fe, originally dated November 1, 2015, was about Santiago and how he was going to invest in more of her work, an obvious nod and yet another confirm for when the Chest would have originally been found at some point in the far distant future.

54. Once Kiva B had been excavated yet again in the future, and almost certainly by another group of "under appraised" kids, and the Chest recovered from under Fenn's personally constructed sipapu in the floor, *Lost Kivas* would have almost certainly been searched for and located rather quickly, and the rest of Fenn's original story, now since magically deleted from his miniature autobiography sealed in the olive jar in the Chest, along with the copies in his buried bronze jars, would have told the whole story, just like Fenn had originally said would have happened.

55. Fenn famously had misspelled two words, "Dollers" and "Knowlege", on his bronze jars and bells that he'd buried out in the *desert* and mountains, and here was his 2019 description all of a sudden on why he'd done so - <https://youtu.be/PoWbwFZlTyA?t=180> - and in *Lost Kivas* Hajovsky states in the *Introduction* on page 10 that Fenn's only request of him when writing it was "Don't use ten-dollar words like a PhD", "ten-dollar" (Dollers) and "PhD" (Knowlege), and this would have also been another confirm for that *Lost Kivas* was indeed the main solution key to the Chase.

56. In *Scrapbook #62* on Neitzel's blog Fenn stated "Excellent research materials are TTOTC,

*Google Earth, and/or a **good map***". (emphasis added) and on page 3 of *Lost Kivas* is the "*good map*" of San Lazaro where one would find the only map publicly showing the exact location of Kiva B. The "*good map*" is then repeated on pages 13 and 155 of *Lost Kivas*, for a total of three **(3)** times.

57. On page 32 of *Lost Kivas* this is almost certainly the *missing* Fenn Scrapbook #32 from Neitzel's since deleted blog and was clearly the story of one of the most important events in Fenn's life when Cash had first introduced Fenn to San Lazaro where Fenn was "**smitten**" by it, and which means "*deeply affected with or struck by strong feelings of attraction, affection, or infatuation*" - <https://www.merriam-webster.com/dictionary/smitten> - San Lazaro was always Fenn's most *special* and *private* place, and specifically Kiva B.

58. Page 32 in *Lost Kivas* states that the former owner of San Lazaro, Hazel Cash ("**Hazel**"), was rumored to have won it in a game of cards - "*For life is a game of poker, And happiness is the pot. Fate deals you four cards and a joker, And you play whether you like it or not*" - whereas Fenn had always famously stated that he'd won his turquoise and silver bracelet, since placed in the Chest and the only thing he wanted back, in a game of pool.

59. Fenn had also oddly stated that there was nothing bronze *inside* the Chest, making sure to specifically state that not even anything made of silver, as Fenn just wanted there to be gold and other such items of significant value in there, but if Fenn's turquoise and **silver** bracelet was found in the Chest then how can that be true.

60. Fenn loved poetry, along with his famous turquoise belt buckle that he'd worn every day since the 1970s, and here is *Hazel Cash* with "*Turquoise Man*" from an obscure 1990 poem by Dennis Turlock, and that has to be Fenn this poem is referring to, and what a coincidence that

it's referring to a kiva and ladder and ore aka gold, and with just a few toenails left behind, just like Fenn leaving a few strands of his hair in the olive jar in the Chest for later DNA testing.

61. On page 83 of Lost Kivas is the “*Plan of Kiva B*”, the schematic for it, the architectural plans, and which clearly does not show a sipapu, nor anything in the area of where one would typically be located, but it directly corresponds to Fenn’s *Scrapbook #83* on Neitzel’s blog showing Fenn actively constructing the sipapu in Kiva B, and right where one would typically expect to be located within a kiva that had one.

62. Fenn wanted to get the point, along with another confirmer, across loud and clear for the future discovery of the Chest, so he made sure to release yet another photograph of that same day Fenn, Kammerer and Somer were out at San Lazaro in Kiva B, but this time really showing Fenn down there with his legs in the sipapu that he had personally constructed for the future Chase, and with Somers sitting near him.

63. There was also a celestial component to all of this in the Chase as well, and just as the Pueblo Natives would have used in their rituals and daily lives, and this also would go to explain why Fenn was always referring to mirrors and so forth.

64. The whole “*somewhere in the mountains north of Santa Fe*” was never in the poem. Fenn designated it as merely a *clue* needing to be solved, or that he’d only said that to keep people from digging up his lawn and that of his upset neighbors, even later changing the parameters of the Chase from the original “*somewhere in the mountains north of Santa Fe*” to “*somewhere in the Rocky Mountains north of Santa Fe*” once the Chase had gotten too big.

65. An individual by the name of William Bradley “Brad” Sather (“**Sather**”) of Round Rock, Texas was also targeted alongside Fenn in Cerberus, and although Sather was caught on

undercover audio and video wiretap while out in a ***kiva*** in the deserts of Utah during the investigation with the late government informant Ted Gardiner (“**Gardiner**”) aka SU 6129, although upon information and belief, like Fenn, Sather was seemingly never officially charged with a crime in the matter. Apparently Fenn had cut a deal with the government, possibly even agreeing to be a witness for the government against other criminals within his network, in order to avoid prosecution yet again for all of his illegal activities.

66. Sather would later be known as “*Goofy_Old_Guy*” or just “*Goofy*” (“**Goofy**”) on Neitzel’s Chase blog, although Neitzel claims to have never actually known who Goofy was, and which is **just not believable**.

67. At one point someone had inquired on Neitzel’s blog about the Chase concerning a “*William Sathers*” (sic) being on legal documents and apparently listed as the owner of Fenn’s San Lazaro, but the reality is that San Lazaro is still owned by Fenn’s own Corporation, and the blog has since been **deleted** by Neitzel, much like most of the other evidence has in the Chase at this point, although Neitzel now has yet *another* new WordPress blog up, and which is **obviously** being used just to continue to cover for Fenn, Sather and the others, as well as for himself, otherwise Neitzel would have just left the original blog, the most comprehensive collection of all things Fenn around, up even if just as an archive, and anyone who truly ever believes otherwise is clearly a complete and utter tool, or simply a Fenn confidant continuing to spread false and or misleading information in this whole mess.

68. Right before Fenn’s poem it states the following; “*This poem written by Forrest Fenn contains nine clues that if followed precisely, will lead to the end of his rainbow and the treasure. Happy Hunting!*”

69... The kiva ladder is referred to as “*Rainbow*” by the Pueblo Natives, and was clearly the actual present day *rainbow* that Fenn was talking about in his Chase, because just a few feet away from “*Rainbow*”, the ladder in Kiva B, was Fenn’s custom built sipapu that never actually existed in either of the two kiva out at San Lazaro, and that’s also why Fenn had always stated that he felt as if an “*architect*” had written the poem.

70. The term “Happy Hunting” is also a term used by the Natives to describe the best place to find good hunting at, and which for them is the underworld, the afterlife, the “*below place*”.

71. *Lost Kivas* specifically stated that neither kiva out at San Lazaro had a sipapu, and none of the schematics in the book show them to exist where one would and or should have been located, yet in two different entries of Fenn’s Scrapbooks posted on Neitzel’s site, one can clearly see Fenn himself, with gloves on and all, obviously digging out and constructing the sipapu into the floor of Kiva B, exactly where one would be expected to be found in any other kiva that had such a feature, with his very good friends the late media mogul Michael Kammerer (“**Kammerer**”) and actress Suzanne Somers (“**Somers**”).

72. Fenn had stated in the past that the closest people to the place where the Chest was hidden that he was aware of had been a man and who may have had a woman along with him, and that was clearly Kammerer and Somers.

73. The obvious reason that the architect Fenn’s personally constructed sipapu was not listed in *Lost Kivas* is because then, quite obviously, someone else besides Fenn, such as Hajovsky or Blake, would have then known about it, and just as Fenn had said over and over again throughout the decade of his Chase in that *two people can keep a secret if one of them is dead*, so in other words Fenn had never originally told anybody, but that all changed once Sandau

came alone and all but ruined the original plan, and just like Fenn had stated that his getting better from his cancer scare had ruined his original plan.

74. Fenn had stated that the “*blaze*” from his poem would be something that “*stands out*”, and what does a kiva ladder do at the top of a kiva from the Pueblo plaza floor, it literally “*stands out*”. Fenn had also stated that the *blaze* doesn’t point in any of the directions of north, south east or west, but a kiva ladder does point up, and just as the poem states with “*If you’ve been wise and found the blaze, look quickly down your quest to cease*”, and that’s exactly how one would traditionally enter a kiva.

75. “*So hear me all and listen good, your effort will be worth the cold*”, and what was the original name of Kiva B as given to it by the Pueblo Natives, and as per information provided in *Lost Kivas*, it was “*Turquoise Kiva*” or, most importantly, “*Ice Kiva*” aka “**the cold**”.

76. Fenn had always worn his famous turquoise belt buckle since having acquired it in the 1970s, on what had been purported to have been on a daily basis without fail, and that his grandson Shiloh is now in possession of and wearing just as proudly.

77. “*If you are brave and in the wood, I give you title to the gold.*”, and the sipapu in the kiva floor was generally covered with a wood and or stone plank, and then therein would lie the Chest full of gold.

78. In Fenn’s letters from Vietnam in 1969 to his good friend Bill Griggs, another old looting partner of his, Fenn specifically uses the term “*in the woods*” to clearly describe going out to old Native burial sites in order to loot and pillage them specifically stating; “*A friend of mine is going out in the woods with his brothers & will stay 2 weeks. He has promised to bring me all sorts of stuff. Hope he comes through.*”, replete with the word “*woods*” having eyes looking down and a

nose a mouth, and which is clearly *Looter's Secret Language 101*, and just as from Fenn's poem telling you that where you are ultimately in search of that you're going to have to be and think like Fenn and actually loot for the Chest and gold, just like out at Kiva B at San Lazaro.

79. In one of the only three (3) known publicity photos of the Chest and gold professionally photographed for Fenn by Santa Fe photographer Addison Doty, no known relation to Plaintiff Doty, if you look closely at the middle in between all the gold coins and nuggets you can tell that they are all raised by an artificial wood platform of some type, and which has a small hole in the center of it, and that almost certainly goes to represent the sipapu in the floor of Kiva B for the true find that Fenn had always originally envisioned occurring well after his death, be it 100 years, 1,000 years or 10,000 years from then.

80. Fenn had stated over the years that all you needed to help you find the Chest was "*TTOTC, Google Earth and or a good map*", and that "*good map*" was clearly the map out of *Lost Kivas* that then showed one where Kiva B would be located within the ruins of the San Lazaro plaza, it's the exact same map that was in the 2004 *Secrets*, except for the new addition of Kiva B, and which was simply cut and pasted from the other kiva originally shown, along with the new text used to label it, therefore cutting down even further on anyone else knowing about it by not requiring an entirely new map to then be redrawn for the 2010 *Lost Kivas*.

81. Here's exactly how Fenn was able to have Hajovsky write the *Lost Kivas* for him back in 2010, mere months before the release of his own 2010 Memoir and subsequent Chase for the Chest, along with having a few folks close to him being aware of its existence all those years ago, yet still not really draw too much attention nor suspicion to it, and aside from that whole misleading "*north of Santa Fe*" business; XXXXXXXX

82. For years Fenn had a group of “*under appraised kids*” who would come and spend a few weeks during the summer out at San Lazaro to learn the meaning of hard work, and to also set them straight for the big world that awaited them when they became adults, and this is also why Fenn would state over the years concerning his Chest that “*kids have an advantage*” in the Chase and to not ask him why that is, but obviously another group of those kids in the future going out south of Santa Fe to San Lazaro would then be the most likely ones out of anybody of ever finding the Chest, and if it was ever found in that manner then, of course, the Chest would have to end up in a museum such as the Smithsonian being found on a dig such as that, and just like where Fenn had previously stated that he wanted to perhaps eventually see it go once found.

83. And why title it ‘*The Lost Kivas of San Lazaro*’ in the first place, because the kivas, at least Kiva A, although only referred to as just a generic “kiva” in Fenn’s 2004 *Secrets*, were already known, and never “*Lost*”, if even just only to a small number of people, having been previously fully excavated and catalogued, not to mention an entire book written about them both in 2010, albeit a previously hidden and highly obscure book that nobody, and certainly not Fenn himself, ever spoke of until Sandau had exposed it, and, again, even then Fenn never spoke of it publicly, right up to his own death on September 7, 2020.

84. The only public mention that Sandau could ever find of *Lost Kivas* was a story posted to the Santa Fe Reporter on February 18, 2011, the day before the event, which was then slated to take place on February 19, 2011, and that was purported to be a reading of *Lost Kivas* by author Hajovsky, but whether or not this one and only event actually took place is not presently known, along with the fact that Fenn is not mentioned whatsoever in the story.

85. Garcia Street Books, where the Hajovsky event was to take place for *Lost Kivas*, is an extremely small and independent bookstore in Santa Fe not far from Fenn's favorite bookstore Collected Works, and just one week after the purported Hajovsky event may, or may not, have actually taken place, Fenn was again over at Collected Works with his good pals, as well as fellow authors, Preston and Michael McGarrity ("McGarrity") to help promote McGarrity's newest book, yet Fenn, once again, never spoke a word about the *Lost Kivas* book that Hajovsky had written for him, nor of Hajovsky himself, and this one lone event for *Lost Kivas* was also a good 6 months after it had been released, then apparently Hajovsky, along with his wife, Marie-France Lemire, were off to Cozumel, Mexico to retire for good, likely financed, at least to a certain degree by Fenn in return for Hajovsky penning the *Lost Kivas* for him and then keeping his mouth all but shut about it.

86. Hajovsky himself states in *Lost Kivas* that he was surprised that Fenn had asked him to write the book for him, and that he didn't know much of anything about the subject matter, yet Fenn knew everything about it, top to bottom, and could have easily written it himself, so Fenn did after all have someone else write his book for him, and just like his original story had told of him doing.

87. The only other instance, and yet again where Fenn had completely ignored any question concerning *Lost Kivas*, came from an early comment on Fenn's own personal blog from (Dr.) Blake concerning "Ric" and his book (*Lost Kivas*).

88. Fenn's two San Lazaro kivas, Kiva A and Kiva B, were never really touched on much nor spoken of by Fenn during the Chase years, they were just another two obscure items, and especially Kiva B, that were littered and spread out among the other thousands upon thousands

of things over Fenn's long life, and, besides, they were *south of Santa Fe*, so another reason why the simpleminded, and which Fenn had long known about general human behaviors from all his years as a successful businessman, and which he always gleefully took full advantage of, would have always discounted anyhow, but, again, "*south of Santa Fe*" was never in the poem.

89. Fenn had always stated that he didn't want to do anything where his best customer paid him less than \$100, and at \$35 a pop for his Memoir, and which Fenn always claimed to not actually be making any money on, the general Chase community was certainly no exception, even if several of them had to die over the years looking in vain for something they were clearly never going to find. King Fenn always in full and total control of his lowly peasants (the overall search community), that is until Sandau came along.

90. Some searchers though decided to take some of Fenn's business advice to heart and make a buck off of his fame and infamy by selling cheap searcher coins as commemorative collector items, board games made for the Chase designed after the popular Monopoly board game, replicas of the Chest that could go for upwards of \$10k a pop, and so forth.

91. Concerning the purported cancer charity fund supposedly being run and administered by Collected Works, if a reported 10%, and with recent statements making that total at 15%, of book sales of Thrill were actually going to this otherwise phantom cancer charity, then how could owner Dorothy Massey make a statement such as the following as late as June 2019; *Massey says she doesn't know how many Fenn copies she's sold, "but it's a bunch."*

92. Sandau had previously filed an official complaint against Collected Works and Massey with the New Mexico Attorney General's Office over this supposed cancer charity fund, but was then ultimately completely ignored, and then fully ghosted by them, with no explanation whatsoever,

and what strikes Sandau as very telling is the fact that this has all made Santa Fe, as well as a lot of other people and whole lot of money over the years, and the Attorney General is quite literally just down the block from Collected Works, so everyone make the fairly obvious connections there for yourselves because it shouldn't be all that hard to do so.

93. Fenn had won an award in 2015 from the City of Santa Fe, hand signed by the mayor, that had proclaimed May 25 as *Thrill of the Chase Day*, yet what most people aren't aware of is that is was actually Massey who had pushed for the award, along with others, to help boost their own bottom line even more, so it wasn't as deserving and or altruistic as it may have seemed.

94. Fenn had previously explained in a "Fenn Gets Mail" on Neitzel's blog years ago that the whole "*south of Santa Fe*" thing was just a hint that needed to be deciphered and figured out, and on other occasions Fenn had stated that he had just said that so that all these crazy searchers wouldn't be digging up his neighbor's yards, as well as his own, so it was clearly never meant to be taken literally, but it sure took care of 99.99% of searchers, to this very day, ever having a chance of locating the true and original resting place of the Chest, and the lost and delusional, Stuef included, still cannot and or will not accept reality and what's been staring them all right in the face for years now.

95. In the Native Pueblo culture there are ritual dances that take place in the plaza where their kivas were located, same as Kiva B out at San Lazaro, and in these rituals the directions of both north and south are reversed, where north *becomes* south and south *becomes* north, and the sipapu in the floor of a kiva is also metaphorically located in the sacred mountains of the Pueblo Natives per their beliefs so there is the true answers to that whole original "*somewhere in the mountains North of Santa Fe*", and which had later become "*somewhere in the Rocky*

Mountains north of Santa Fe", something that Fenn had decided to change on-the-fly years after starting the Chase because he had likely realized that the generic use of "mountains" might have tripped a dormant thought in a searcher with superior intelligence to other searchers now with so many people taking part in the Chase, and for all intents and purposes that's exactly what happened when Sandau came along.

96. Fenn had stated on numerous occasions over the years that he had felt "*umbilically attached*" to the special place where he had hid the Chest at and wanted his bones to eventually rest as well, and the sipapu in a kiva is referred to as "*Mother earth navel*" by the Pueblo Natives, the place of their emergence, "*put in below the home of Brown*".

97. "*Begin it where warm waters halt*" from the poem, and that was Fenn as a 9-year-old boy in Texas finding that first, and very special, really his most prized possession of all, arrowhead of his with his father, Marvin Fenn. This was why the part about the rain and thunderstorm, along with Fenn's *rainbow*, was removed years before from Fenn's own original life thrill of the chase origin story, and then diluted down for the shenanigans that were to follow years later in his Chase, otherwise why wouldn't he have just left in such details.

98. "*And take it in the canyon down*" from the poem was always describing Fenn's main looting and pillaging exploits during the next stage of his life, such as during his military years between 1950 and 1970, and where he would burn through the American taxpayer's funds by taking military aircraft of all types out and flying them low into the canyons of the Southwest while stationed in Arizona looking for the telltale sign of Native ruins to then mark and return later by jeep or other means to pillage and loot at will for his own benefit. Shake another dead Native baby's remains out of its funerary blanket that it had been sacredly buried in hundreds of years

before, but now had been recklessly and callously dug up from its previous final resting place, because Fenn always loved his “perishables”.

99. Speaking of “*And take it in the canyon down*” from Fenn’s poem, in 2016 when searcher Bilyeu was still missing Fenn did a interview for *People Magazine* where he had made some rather interesting statements to his neighbor and its founding editor, Richard B. Stolley (“**Stolley**”), about canyons and his Chase with the following; “*I can’t go down in those canyons at my age, but I can charter a helicopter.*” along with “*And I can tell you an 80-year-old man is not going to make a trip into a canyon, then come up and go down again.*”, so Fenn was clearly ruling out any searcher now having to physically go down into a canyon, nor even back up one again, in order to find the Chest, yet Stuef states to have had to do just that in his purported finding of the Chest in Wyoming, so how does that make any sense whatsoever. Fenn never actually went down into a canyon, nor back up one again, when hiding the Chest in 2010.

100. One other telling statement from Fenn in the same *People Magazine* article was him stating the following to Stolley; “*If I was to tell anyone where it is, it would be my grandson. And I’m not going to tell him.*”, and that’s Fenn referring to his grandson Shiloh in that if he were going to ever tell anyone where the Chest was that it would be him. Fenn was in rare form for this interview by divulging as much as he did, what with his first real missing searcher in the Chase that he was now dealing with, and that wasn’t looking as if it were going to be a good outcome, and it wasn’t a good outcome either.

101. Another interesting aspect about Fenn’s famous treasure poem, and that, again, only Sandau had figured out, was that he’d obviously written and fashioned it after a not so obscure Native poem titled *The Song of the Sky Loom*, and which is a poem saying one thing but clearly

meaning something else through the use of metaphors, and just as with both this poem and Fenn's it contains a theme such as a word being repeated throughout it, with Fenn's poem repeating the word "it" numerous times, as well as the mention of a *rainbow* and other such like and very similar references, and with "it" in Fenn's poem referring to "*the thrill of the chase*" itself.

102. Fenn had also pointed out on occasion, as well as in one of his Scrapbooks posted to Neitzel's blog, that he really liked a rare book that he had in his personal collection, and which he had later sold among many other items from his collection to a Santa Fe resident who goes by the name of *Russ Dana* online, titled *The Loom of the Desert*.

103. Sandau, well knowing that he couldn't trust anyone even remotely connected to Fenn by this stage of the game, then set about contacting Russ via email and posing as one Dave Johnson, yet another fictitious character in Sandau's arsenal, which then proved fruitful in many ways concerning *Lost Kivas*, the 2009 Cerberus raids and current "*arrowhead collectors*" who were visiting Fenn one day when he had stopped by, among other such interesting tidbits, that is until Sandau outed himself to Russ, along with Stuef within the same email, but by then Sandau had gotten all that he felt he could and or perhaps needed, and, besides, Stuef hardly gave out much of anything new beyond the nothing that he's always been famous for giving out to anyone and everyone who so boldly asks him to do so far.

104. Fenn's poem and its metaphors also closely mirror the very obscure Tewa story of *Long Sash*, and it's simply uncanny just how closely both do match up overall with Fenn's whole story and his poem.

105. The biggest reason that Fenn had always stated that one could not use Google Earth to

see the Chest was because “*it doesn’t go down that far*”, and obviously Google Earth could never see into the place where the spirits return to down under the sipapu in a backfilled kiva, that’s the mythical *underworld* to the Natives after all, but how would that same statement then ever make any sense concerning the scant details provided so far by Stuef, or anyone else, including Fenn, for that matter, as to where and how Stuef now claims to have finally found the Chest in Wyoming, and years after it’d been removed from its original hiding place within Kiva B.

106. Ironically enough, decades later when Fenn had his big treasure Chase rolling along at full steam, people were out looking at graves as possible hiding locations for the Chest, such as those that his own parents were buried in, only then did Fenn seemingly sprout a conscience of any kind about it all, and was then pompous enough to request that nobody go and dig up his own parent’s graves looking for the Chest, and what an absolute hypocrite, and a sick creep, because who else goes and digs up someone’s grave to rob them of their worldly possessions to then later sell and or trade and hang all over their own homes to shamelessly flaunt like a serial killer showing off his victim’s belongings as macabre hunting trophies, Fenn and his other graverobbing and looting cronies, that’s who.

107. Sandau had relayed some of his findings to Fenn via his personal email address, forrestfenn@gmail.com, and which Fenn had provided to the public **from the start** of his Chase, it was listed on his website and printed in his Memoir, as was his home phone number, along with inviting searchers into his home over the years, so any and all problems that Fenn had with those who he deemed as the “stalkers” or the “crazy” searchers, well Fenn clearly brought that all upon himself and his family, and they have nobody else but Fenn and themselves to blame for that in the end, though try as they may.

108. It's rather telling that when all these searchers were getting lost, injured and dying in Fenn's Chase, that Fenn's usual and rather casual response was always something like when some of them had drowned that "*We don't drain the swimming pools, we teach people how to swim*", yet when Fenn felt that he needed to deal with certain pesky searchers, that he himself had invited in droves into his life and that of his family and their lives, Sandau included, then Fenn and his family were the first on the phone to the police and their attorneys to then threaten and or go after and such "crazy" searchers, how ironic! Perhaps we should have all instead returned the favor and taught Fenn how to not be so reckless and carefree with the overall safety and very lives of his and that of his own family.

109. Fenn himself was obviously not shy, he wanted the attention, he needed the attention, he clearly craved and thrived off of the attention, and, needless to say, Fenn was also not thrilled with Sandau for discovering the very important piece of information to his puzzle poem concerning his *rainbow*, and then essentially denying it all via an eventual, and quite pompous and rather convoluted, a Fenn trademark, email response to Sandau.

110. Undeterred, Sandau simply said to himself, "*Fine, I'll solve it then*", and within weeks after that he had discovered yet another previously hidden piece of Fenn's puzzle poem in the form of the obscured and hidden 2010 Lost Kivas book by Hajovsky that nobody else but a few close insiders and or associates to Fenn had ever even heard about, and certainly none of the other searchers within the Chase community had ever been able to locate and then put together, not a one of them, and most of them can't even see it to this very day, even when it is all boldly staring them right in the face. Some of them are even online publicly breaking down in front of everyone because they truly believe that Fenn is still speaking to them individually and directly

through hints in his scrapbooks, emails and other communications. Fenn and his Chase has **absolutely destroyed** as many lives as it had been purported to have helped, **no doubt about it whatsoever.**

111. The Lost Kivas was originally printed in 100 copies or less, then secretly hidden away in libraries and learning institutions, and **only** in the states of *Texas, New Mexico and Arizona*, aside from two **(2)** copies going to the *Library of Congress*, and where Fenn had always told everyone to send a copy of their own memoirs to.

112. In both May and July of 2016 Sandau made two separate trips to New Mexico and did purposely and wantonly enter the property of the San Lazaro Pueblo ruins (“**San Lazaro**”), and which was no easy task with it being miles out in the middle of the high mountain desert south of Santa Fe.

113. Sandau’s first trip to New Mexico and San Lazaro in May 2016 was done alone and merely as an initial reconnaissance mission. The second trip in July of 2016 then included both Doty and Kaiser, where Sandau and Doty together again entered San Lazaro, purposely and wantonly, in order to attempt to excavate the Chest from Kiva B, and which was unsuccessful due to several factors, and all of which were well out of their personal control.

114. Kaiser never entered San Lazaro at any time during the trip of July 2016, instead staying behind at the hotel, only driving Sandau and Doty within several miles of San Lazaro, as well as later returning to pick them up, and all on publicly accessible roadways and or other such property.

115. After the unsuccessful excavation of Kiva B at San Lazaro in July 2016, Plaintiffs decided to confront Fenn with their findings to date, but in true fashion Fenn had either again

denied it all and or took evasive actions, up to and including threats of the "Santa Fe County Sheriff" as previously before, and or Fenn's attorneys coming after Sandau, trying his best the to entire time to either ignore and or discredit them, and which then set off a years long chain of events that eventually culminated, upon information and belief, in Old and the rest of the Fenn family finally pressuring Fenn enough to essentially pull the Chest and call off the Chase, because once Fenn was dead they certainly didn't want to deal with any of it, and who could really blame them, but where they all made yet another wrong turn in all of this was to then continue on with the **fraud** and **cover up** rather than doing the right thing by simply admitting that the Fenn family patriarch was truly just a big scammer in the end, and which would have then set them all free from this ongoing situation, but apparently some important lessons in life are always going to be learned the hard way for some people.

116. One very important aspect of Old continuing to help perpetuate and or orchestrate this ongoing **fraud** and **cover up** is that as the Personal Representative of the Fenn Estate, Old has now put herself in **extreme legal jeopardy** by potentially exposing her own personal belongings and possessions to further legal actions beyond those currently contained in and or involved with the Estate itself, and which is not merely an opinion of the Plaintiffs, but rather a **legal fact** and **stark reality** now for her, and that's *clearly* not a very good position to ever go and knowingly put oneself in either, but, again, just like her late father, Fenn, had always said about all the searchers who'd gone and put themselves into deadly situations out looking for his Chest and had subsequently drowned, or otherwise perished in some other fashion, that we shouldn't then go and drain the swimming pools, but rather we should teach people how to swim, and shouldn't that same snarky and rather cold sentiment hold true for Old, as well as Fenn and the

rest of the Defendants, as well concerning the predicament that they've all now found themselves in here, and completely by their own choice and doing.

117. Sandau had always protected both Doty and Kaiser up until this legal action was required and necessary, and where their identities would now need to be revealed and known, and with Sandau alone always taking the full force and brunt of the overall Chase community's *completely misguided wrath and anger* upon himself while doing so.

118. Sandau's two trips, also known in the overall search community as "BOTG" aka "Boots On The Ground", to New Mexico and San Lazaro in May and July of 2016 were the only two actual trips Sandau ever made regarding the Chase, and with July 2016 being the only BOTG trip that both Doty and Kaiser had ever made along with Sandau.

119. Plaintiffs have never knowingly been physically at nor near the residential address of Fenn nor any of his family members and or close associates, although they had all physically patronized Collected Works as just general customers during their 2016 visits to New Mexico.

120. Sandau is the only one out of the Plaintiffs to have ever had any direct contact whatsoever with Fenn, and which was always, and only, via email, and presented as himself, except for perhaps on one or two occasions where he had instead presented himself to Fenn as a fictitious searcher.

121. In order to maintain cover and continue to extract vital information on the Chase and the players in it, Sandau took on the personas of a number of other fictitious characters over several years, and, upon information and belief, nobody targeted in this manner had ever suspected Sandau of being someone else.

122. In early 2019 Sandau released a final YouTube video thinking that with Fenn and all of his

outright private and public denials concerning Sandau's solution to the Chase that apparently Fenn perhaps truly did have another actual and much better ending all along, and one that would then make more sense and be able to be proven to be a better ending than Plaintiffs had seemingly figured out, then not long after that Sandau took down his videos and completely moved away from the Chase and everything going on concerning it.

123. Although Plaintiffs clearly had a lot of proof in their possession by this point, there still was no Chest nor contents actually present and available anywhere to then definitively prove one way or the other that any of it had ever even truly existed in the first place, nor that it was ever actually put out there to be found as stated by Fenn in his 2010 Memoir. It was all just on faith, and faith alone in an old, self-professed hustler and unabashed graverobber would never hold up in a Court of Law, no matter what one may have had for proof.

124. On the early morning of June 8, 2020, two (2) days after Fenn had officially announced on June 6, 2020 that the Chest had been found and that the Chase was now over, Sandau awoke and saw a general news article in Google News flash by that the Fenn treasure had purportedly been found, but that Fenn had now stated the finder, location, solve to the poem, answers to clues, everything, would be kept secret.

125. Sandau, smelling a dirty sewer rat, then directly emailed Fenn on the morning of June 8, 2020 immediately after reading the Google News article about the Chest supposedly being found and the Chase now being over, lovingly referring to Fenn in said correspondence as "*you old turd*", and a "*scammer*" as well as a "*looter*", none of which Fenn denied, and demanding answers. Fenn then rather quickly responded and acted as if nothing was amiss, then Sandau proceeded to read Fenn the riot act by telling Fenn in no uncertain terms to get out there and

tell it all; who the finder was, the solve, the answers to the clues, everything. The problem is, Fenn couldn't produce any of that, nor later could Stuef, not to this very day, because it was, and clearly still is, all an **obvious cover up**, an **absolute lie**, a **complete fabrication** and a **total fraud**.

126. Sandau then emailed Fenn's attorney of record, Karl H. Sommer ("Sommer") of Santa Fe, New Mexico, on June 10th, 2020, forwarding along the previous email thread between himself and Fenn. Sommer never responded to Sandau's initial email correspondence, and neither again did Fenn, they simply ignored the obvious truth and continued to lie, keeping up the status quo because they certainly couldn't turn back now, and obviously never intended to either.

127. Sommer did on April 30, 2021 contact Plaintiffs via email, and which also contained a *Motion in Opposition* to Plaintiffs requesting more time in Probate Court directly concerning this matter, and which is **why**, unfortunately enough, this lawsuit was then initially and rather quickly and quite haphazardly filed instead of at a later date due to the Estate's refusal to allow the granting of Plaintiffs' motion, so instead of taking any chances here this lawsuit was then filed so as to not go and the run completely afoul of the statute of limitations on May 4, 2021, otherwise it would have deprived and denied Plaintiffs any justice in this matter forever, at least concerning the Fenn Estate, because everyone else involved in all of this, Stuef included, are still well within any possible statute of limitations to have legal action yet brought against them, and not just by Plaintiffs either.

128. Stuef has recently stated that he will soon be preparing to sell the Chest and its contents, *over a year now since he had purportedly found it*, but if Stuef so much as attempts to do so, Plaintiffs will then immediately be going after any and all potential buyers for receiving what

would then clearly amount to no less than stolen property. Nobody is ever going to buy that hot potato, not while it is deeply embroiled in, and at the very center of, these proper and just legal actions brought against Defendants by Plaintiffs..

129. As a simple statement of fact in this matter, Sommer is the brother-in-law of First Judicial District Court of New Mexico Chief Judge Mary L. Marlowe-Sommer, and the current judge presiding over the Fenn Estate probate, of which Old is the Personal Representative for, is Judge Francis J. Mathew, therefore making Chief Judge Marlowe-Sommer Judge Mathew's Court administrative boss, yet Plaintiffs still believe and trust in the integrity of this Court, the independence of this judiciary, its unbiased fairness and proper application of the Rule of Law in the pursuit of justice to all parties herein that now come before it.

130. It took Fenn ten (**10?!**) days from the date of the announced "find" of June 6, 2020 to produce even one photograph as any evidence whatsoever of the Chest and its purported contents, and which to Plaintiff's uncertain knowledge and belief hasn't all been accounted for nor seen by anyone else outside of Fenn, Stuef, their attorneys, including Sommer, and now the author, Daniel Barbarisi ("Barbarisi"), of the supermarket checkout line fictional book *Chasing The Thrill*, and which a copy of is included herein in its entirety as an evidence exhibit.

131. If one *simply* looks at the minimal photographic evidence provided of the "find", the Chest purportedly having been left out in the wilds of Wyoming for almost 10 years, and then compare that to what was stated by Fenn and or his legal counsel, along with other close family members and or associates, for months on end after that, and then what Stuef has subsequently stated, then none of it really matches up nor makes any logical sense whatsoever, not in the slightest.

132. Fenn's official statement concerning the find and where the Chest was eventually

located at was as follows; "*It was under a canopy of stars in the lush, forested vegetation of the Rocky Mountains and had not moved from the spot where I hid it more than 10 years ago. I do not know the person who found it, but the poem in my book led him to the precise spot.*", and looking at the few photographs ever provided of the Chest find out in the wild so far, does that look to anyone with even the slightest bit of intelligence to be somewhere that one would ever consider to be an area of "lush, forested vegetation", and especially by the month of June when it was purported to have been found and the photographs taken. No, it clearly does not.

133. Why exactly did Fenn then feel the obvious need to make the rather bizarre statement that the Chest itself "*had not moved from the spot where I hid it more than 10 years ago*", and that was clearly because Fenn had either moved it himself out of Kiva B and or had someone else such as Shiloh or Neitzel, maybe even Sather, do so, because it was almost certainly one of them, or someone else close to Fenn, who did it for him. It's truly **the one and only logical explanation** as to why Fenn clearly felt the need to try and explain himself there like that, otherwise the statement makes **absolutely no logical sense whatsoever** to even be there in the first place, **no matter where** the Chest would have eventually been found or not. The reason that statement was made was **obviously** because Fenn had indeed previously moved the Chest himself and or had someone else move it for him out of Kiva B to wherever it eventually ended up at for the **clearly staged** "find" photo session.

134. The next statement made by Fenn is **even more telling** of the fraud than the previous one with "*I do not know the person who found it*", because that's classic Fenn in that maybe he didn't personally "*know the person who found it*", but someone else that Fenn knew almost certainly did "*know the person (Stuef) who found it*", and with Fenn that then makes it all ok and was

basically the truth, but not the whole truth of course, because Fenn was always a proud and self-proclaimed 85% - 15% kind of guy when it came to telling the truth, but, again, classic Fenn for all those who knew him, if even just a little.

135. Then Fenn's final statement, and also the final nail in the coffin where fraud now externally rests concerning all of it, with "*but the poem in my book led him to the precise spot.*" Really, it did. No, it really did not. Stuef clearly never solved anything, especially not concerning the poem, because nothing he nor Fenn has ever stated match up with anything at all concerning the poem itself, nor anything else that for years had been spoken and or written of that had always defined the Chase.

136. Stuef states to have spent 25 days over a two (2) year period in the state of Wyoming searching an area the size of a football field for the Chest, and that's certainly not what could ever be considered as being something that was accomplished in a precise manner, and just as Fenn had always stated would be required with his poem in order to ever find the Chest.

137. Fenn stated that the finder, Stuef, and who was still unknown at the time, had solved the poem in his book, and which then led Stuef to the *precise* spot where the Chest was located, and which both Fenn and Stuef had later "agreed" to say that it was found in the state of Wyoming, not that it was definitely found there, only that they both had agreed to say that it was, and there's a very big difference with how that statement was worded, and with what it could actually mean overall. In other words, the Chest itself was never in Wyoming, unless maybe just there in the end to help perpetuate and solidify the "find", along with the whole fraudulent story to then be needed to go along with it. But, yet again, classic Fenn written all over it with such a truly muddled and rather imprecise statement as that.

138. On December 7, 2020 Stuef had finally outed himself as “*The Finder*”, obviously in an attempt to then thwart having to be forced to go up in front of a Court of Law in the Andersen v. Fenn lawsuit to do so, and which would also have put Stuef in the uncomfortable and likely position to then have to further explain his whole convoluted story about being “*The Finder*” while doing so under oath.

139. By the time Stuef had finally outed himself as “*The Finder*”, Fenn had already been dead via suicide for exactly 3 months, having passed away back on September 7th, 2020, and there is still, to this day, no known official record of Fenn himself ever having named Stuef as “*The Finder*” and or solver of his treasure poem, and, in fact, Fenn had never even bothered to congratulate an actual finder in one of his very first initial statements that had been officially put out to the public after the “find”, only instead to state the following;

140. Plaintiffs, upon information and belief, contend that Fenn ran the Chase in such a way that it closely mirrored the Manhattan Project during World War II whereas everyone involved were working towards the same combined goal, in this specific example the production of an atomic weapon to hopefully end the war, yet nobody really truly knew what anybody else was working on nor the part they were actually playing concerning it all besides Fenn, therefore keeping his word at the time that only he knew where the Chest was hidden, while also giving everyone else a bit of plausible deniability.

141. Fenn died on September 7, 2020 at his home in Santa Fe still surrounded by **doubt** and **suspicion** concerning the **completely bizarre** and **entirely unbelievable** end to his Chase, as well as already being embroiled in two ongoing lawsuits against him at the time concerning it.

142. Plaintiffs contend, upon information and belief, that Fenn had probably taken his own life

on September 7, 2020, and most likely via sleeping pills due to the fact that Fenn had always stated that he would commit suicide, and just as Fenn's father, Marvin Fenn, had done decades ago, as part of his treasure hunt story in exactly the same fashion, not to mention that when found the morning of September 7, 2020 Fenn was purportedly on the floor of his home study unresponsive and snoring, then taking several more hours after being taken to the hospital and brought back home to finally pass away.

143. Plaintiff Kaiser is a nurse who works in geriatrics, and over many years and countless deaths, she has never witnessed an elderly patient expire in such a manner, and the part about Fenn being found snoring is what had obviously given it all away.

144. If Stuef was truly the legitimate "finder", and which he most certainly was not, he could have, he clearly should have, been able to freely sell the Chest and its contents long ago, and with no major entanglements whatsoever, but apparently one couldn't "*just take the chest and go in peace*" after all, and just as Fenn had always stated that one could do, and had in fact stated under oath in another lawsuit brought against him in *Erskine v. Fenn* that the finder could do so, yet the Chest and its contents sit in a New Mexico vault somewhere now over a year later still tied up in the Estate probate, and that just does not make any logical sense here whatsoever in any way, shape or form as to why that is.

145. Sandau had even told Fenn via email years ago that the Chest would eventually end up in probate, and Fenn said that was "*never going to happen*", yet here we are, and there the Chest still sits in probate, exactly as Sandau had said it would, and with July 6, 2021 being the current due date for the Estate to produce a record of the Estate inventory to the Probate Court in Santa Fe.

146. Since Stuef cannot, or rather will not, definitively answer even the most basic of questions concerning the Chase, along with providing the answers to all purported nine (9) original clues said to be within the poem, as well as stating exactly how, exactly when and precisely where he found the Chest, then Stuef simply cannot be believed as to having actually solved the Chase, and then having legitimately retrieved the Chest all on his own without the explicit help and or direction of Fenn and or others close to him having done so, and clearly this Court, and or anybody else paying even the remotest of attention to any of this for that matter, can, and should be able to, see that.

147. Fenn had always adamantly stated that nobody was ever going to just stumble on that Chest out in the wilderness, but that they were going to have to figure out all the clues in the poem and only then go right straight to it. Fenn stated that was the only way he knew how it could ever be found, yet somehow Stuef managed to magically defy all previous rules and or logic to the Chase, and then accomplish what was previously impossible for everyone else to do, and all without any proper nor valid explanation as to how he did so, not to this very day. Look, everyone, a unicorn, oh, and there goes Bigfoot, Elvis and the Loch Ness Monster, too!

148. The only two possible narratives here is that Stuef had either found the Chest by pure chance and or luck after Fenn had it later placed elsewhere than its original hiding location, and that original location clearly having been out in Kiva B at San Lazaro, in order to fully and completely deprive Plaintiffs of their rightful property, or that Stuef had knowingly taken part in the overall fraud that, either way, again then deprived Plaintiffs of their rightful property and all of the other extras that would then have come with it.

149. If Old, along with the rest of the Fenn family and other close associates, truly never had

prior knowledge whatsoever of the original location of the Chest and its contents, nor even the correct solution to the poem, then Old can never properly nor successfully defend, through her legal representation or otherwise, the Estate from this civil Complaint now filed against it by the Plaintiffs, it's just not possible because anything they could ever come up with would then simply, and quite obviously, be hearsay and nothing more, and hearsay is not ever allowed in a *proper and just* Court of Law.

150. The Fenn family lost both their beloved Grandpa Forrest aged 90 and Grandma Peggy Fenn aged 87 last year, and which is sad to be sure, but everyone still seems to cling to that premise as to why the rest of the Fenn family should just be "*left alone*", but they had both lived a very long, as well as a very good and fulfilled, life, some might even say that they were *content*, but, again, Old was clearly the one who took on the role and responsibility as the Personal Representative to probate Fenn's Estate all on her own volition instead of leaving the process and headache of it all up to a professional in order to then take care of it all for her and the rest of the Fenn family. Old knew exactly what she was getting herself into, as well as why, here because to have ever gone and let someone else outside of the Fenn family perform the functions of the Estate probate would have absolutely led to the discovery and revelation of the whole ongoing fraud, along with who knows what else.

151. Sandau's own biological parents on the other hand, just as the great equalizer here, both died fairly young and with health issues, and also with very little but the love of their family and friends. Sandau had even personally cremated his mother, Marjorie, but he was long estranged from his biological father, a Vietnam veteran himself, although his step-father, Neil, and whom he considers to be his real father, was a man of true honor and integrity, and, just like Fenn, a

Vietnam veteran as well, although Neil was a *combat medic*, and who never felt the need to speak of his Vietnam experience while in country for pity or fame. In fact, only in the final months of his life did Neil finally, and in such a humble manner, reveal to Sandau some of his experiences from the war, and not until after his death at the relatively young age of 72 on May 7, 2021 did Sandau even see any of his wartime belongings. The personalized Zippo lighter provided to Neil that he had used during his honorable service says it all without him ever having needed to have said anything.

152. Fenn, on the other hand, the egotistical fighter pilot who flew hundreds of miles per hour at hundreds or thousands or even tens of thousands of feet above the jungles of Vietnam, and all while bombing and strafing whatever moved, bailed out on what was supposed to be his final mission, out of 327 previous missions, merely for the guts and glory of being the 1,500th pilot shot down to be rescued, and certainly not because he had been legitimately shot down and couldn't make it back to base, and Fenn had clearly all but admitted to it over the years.

153. Yes, Fenn did serve his country, and had served in Vietnam, he was even honorably discharged afterwards, but Fenn was certainly no war hero, and especially when compared to humble soldiers who were down there in the awful muck in the direct path of death and destruction such as all those others like the father of Sandau and Kaiser were.

154. Fenn had always constantly stated, as part of his ongoing canned schtick for his Chase, that he "*had a hard tour in Vietnam*", although not according to his own letters and other such correspondence sent back home in 1969 during his actual tour. It all sounded more like just another chance overall for Fenn to loot and pilfer at-will, and just as he had done before, during and after his military career, as well as being able to get 300 missions under his belt before

returning stateside and retiring from the Air Force.

155. Even up into his final year or so of life, Fenn was still gathering with his “*arrowhead collecting*” buddies at his home in Santa Fe to discuss business, and all while being worried yet about who was there and why during such gatherings just in case the FBI was listening in again, or had yet another undercover government informant infiltrating their secretive network of graverobbers and illicit Native artifacts traders and so forth. Once a looter, always a looter.

156. It must be stated here and now that the Chase community itself is made up of a lot of different characters and personalities, some kind and fun, others not so much, and whom Sandau specifically has taken a lot of undeserved abuse and vitriol from, therefore Plaintiffs now humbly request of the overall Chase community, including but not limited to the Chase blogs, Chase YouTube channels, Chase Reddit forums and so forth and so on, and who will absolutely be sharing and disseminating all of this for months, perhaps even years, yet to come, humbly ask to please now allow Plaintiffs, along with the Defendants, the space, time and opportunity in order to let the legal process play out before jumping to any incorrect conclusions one way or the other, thank you.

157. A lot of the information about the Chase, upon information and belief, has either previously been heavily obscured and or deeply hidden away, as well as so much of it being purposely and or brazenly deleted and or destroyed since, and especially after June of 2020, such as with the deletion of official Chase resources like the websites located at <https://dalneitzel.com> and <https://oldsantafetradingco.com>, that, in a bit of a forced rush, Plaintiffs have therefore included a highly condensed collection of evidence in longform, with accompanying links to originals where possible, that more than supports this Complaint as

best as can be expected under such *unique* and rather *difficult* circumstances, and which is attached with this Complaint titled: **True Solution To Forrest Fenn's Chase.**

158. It must be stated that and *emphasized* here in no uncertain terms, that the 2010 previously hidden and obscured *Lost Kivas* book written by author Hajovsky **at the direct request** of Fenn provides the original **true** and **correct** solution to Fenn's 'The Thrill of the Chase' poem and treasure hunt, and everything else, somewhat known as well as not at all known, leads right back out to *San Lazaro*, and specifically to **Kiva B.**

159. Plaintiffs have now, upon information and belief, provided **concise and compelling proof** with the **evidence** now presented herein, and truly beyond even a reasonable doubt that would have been required in a criminal complaint, and with the preponderance of evidence as is called for in a civil case **overwhelmingly** showing in Plaintiffs favor as to their solution to the poem and Chase obviously being the only original **true** and **correct** one, and which by law this civil action must then now be decided in this Court of Law solely on its merits by a mere 51% burden of proof as to who the prevailing party shall be, and which is **clearly** the Plaintiffs.

160. Defendants **one and only** chance of **ever** prevailing in this Complaint is through a legal loophole, because on the **evidence** itself they've got **absolutely nothing of any substance, validity and or merit whatsoever** to provide to this Court to **ever** possibly have a chance of otherwise overcoming Plaintiff's own **evidence** and **proof** to the contrary.

161. Plaintiffs will again be submitting a new motion along with this amended Complaint to the Court and requesting that they be appointed counsel in this *highly complex and quite unusual* legal matter, and just as the Court rules clearly state to be a valid legal option for them to exercise so that one could then help them to better navigate some of the more obscure

rules and legal loopholes of the New Mexico Justice System.

162. When taking all of the evidence and proof now provided to the Court herein by Plaintiffs into full and complete consideration, it should be beyond clear, painfully, obviously clear, that Stuef couldn't have ever legitimately found the Chest where he claims to have found it somewhere out in the wilds of Wyoming, as well as how he claims to have found it and when, even if he somehow truly believes that he had, because that's just not possible, not without the help of someone else close to Fenn having guided him there in the first place somehow in some way, and that's probably even what that whole "fake blaze" business was for all along as a marker for Stuef to then know that he was in the correct area to then complete the sham ending, and which would absolutely fit right in with yet another Fenn trademark move by not having provided Stuef with the *precise* location of the treasure, just only a *general* location, and for Fenn that would have made it alright.

163. The public statements out of both Stuef and Shiloh concerning legal actions that were previously taken against Fenn over the Chest with *Andersen v. Fenn* are rather interesting with Stuef stating the following; "*I am the legitimate finder and owner of the treasure, and no person has any remotely valid claim against me. In the case in New Mexico, many bizarre, false, baseless and defamatory allegations have been made against me*" then adding "*I do not care to spend my time disputing anyone's convictions about where the treasure was. Everyone is entitled to their opinion in the United States of America*" and lastly "*But when they sue me, they cross a line*", and Shiloh then contributing to the mix with "*someone who is abusing the court system on frivolous grounds for the apparent purpose of self-aggrandizement and greed*" then rounding it off with "*We congratulate Jack on finding and retrieving the treasure chest,*

and we hope that this confirmation will help to dispel the conjecture, conspiratorial nonsense, and refusals to accept the truth."

164. Stuef's statements above, are severely lacking in something that the rest of the legal system "*in the United States of America*" refers to as **proof** and **evidence**, that being beyond a reasonable doubt at most, and by the preponderance of evidence at the least, and Stuef's own hollow personal opinions on the matter at the present time just isn't going to cut it in a Court of Law, and which is exactly where he now finds himself at because, yes, the line he speaks of as being crossed has now absolutely been crossed by Plaintiffs and is now waiting for Stuef to man up and toe the line himself, because he's definitely being sued here and won't be able to just make meaningless statements while hiding behind a Gmail email address any longer, and all without any solid proof or evidence to back up any of his paper thin statements and claims, and then have it all just magically go away.

165. Stuef sitting in an attorney's office in Santa Fe in a few pictures with Fenn, the Chest and its contents proves **nothing whatsoever** other than Stuef sitting there in an attorney's office in Santa Fe in a few pictures with Fenn, the Chest and its contents. Not one picture or video, matching the correct location(s) and time frames they would have needed to be taken and or filmed at or in, has ever been provided showing Stuef out in the wilds of Wyoming, nor anywhere else for that matter, not even in the attorney's office there in Santa Fe of the **staged** find photos, actually holding the Chest or any of its contents.

166. As for Shiloh's own personal statements concerning the find, as well as the finder, was Shiloh there, did he witness Stuef searching for, finding and retrieving the Chest, or is that just all merely his own personal opinions and hearsay, because he states it all as being a matter of

“truth”, yet, and just as with Stuef, Shiloh provides no real ***proof*** nor ***evidence*** whatsoever that couldn’t have simply been ***fraudulently manufactured*** at any time and or place.

167. Sommer has even been running around as the personal tour guide to all things Fenn for other searchers coming down to Santa Fe and looking for answers in all of this, even recently allowing one of them, Greg from *Treasure Seekers Brutal Truth* on YouTube, to visit and photograph the attorney’s office that the staged find photos were taken at with Stuef and Fenn, Sommer included, and Sommer fields calls from searchers explaining who is still suing in the matter and so forth, then that all riles everyone up and they go and attack good people like the Plaintiffs, and who are simply looking for the ***truth*** and ***justice*** as well. Sommer is an absolute disgrace to the legal profession, and he’s been allowed to run completely amok for far too long, that’s for sure.

168. What is one to do though since both Stuef and Shiloh, along with those like Sommer, having apparently spoken the gospel on it all now, simply turn out the lights and go home, never to question anything else concerning any of it ever again? Wrong, it’s ***all*** getting questioned, in a Court of Law and under oath, and it’s ***all*** going to be definitively answered sooner or later, one way or the other, that it most certainly is, ***every last bit of it***. There will be no stone, no wood plank over a sipapu, left unturned in any of this.

169. All the Defendants, and especially Stuef, needed to do here was simply provide proof beyond the preponderance of evidence that Stuef truly is “*The Finder*” of the Fenn treasure Chest, having legitimately, and all on his own, solved the poem, from start to finish, that then led him precisely to the Chest in its correct and original location, no matter where it was actually “found” at. Once that rather herculean feat has been satisfied in a believable fashion, complete

with all necessary evidence and proof to back it up, then perhaps we could all finally accept that as *truth* and *fact*, put this whole ugly matter to rest and then all go home and get on with the rest of our lives, but that's **clearly** not at all what had happened here, or else Stuef, or Fenn himself, could have easily provided all of that well over a year ago now, and that's exactly why all these Defendants are now getting sued, and one of them, either knowingly or unknowingly, is almost certainly going to eventually crack and then turn on the others in order to save themselves, spilling the proverbial beans while they do so, or at the least enough of those beans in order to then seal everyone else's fate, although who that is actually going to be here remains yet to be seen, but someone will eventually do so because, and as the old saying goes, there's no honor among thieves.

170. On June 26, 2021, Neitzel, although not yet having been sued himself, and which is coming, already started to turn on Fenn and everyone else involved in all of this by posting to his new blog emails between himself and Fenn that showed Fenn was going to pull the Chest and end the Chase, and Plaintiffs are requesting that Neitzel complete his flip and help to end this whole mess that he'd taken such a major role in from the beginning, along with Fenn, Sather aka "Goofy" and the rest of the currently named Defendants within this Complaint.

171. Either Fenn or Stuef claiming that the other wanted to keep Fenn's special place private and only known between the two of them is just not ever going to be a good enough excuse to keep this whole deadly and destructive charade going for the rest of eternity without anyone else ever knowing the true answers to any of it, because that very clearly and quite obviously would be a complete and absolute miscarriage of justice to allow that to continue to be so, and not only to the Plaintiffs, the true owners of the Chest and all that should have, as

well as could have, come with it, until definitely proven to be otherwise, but also to those who had lost their very lives searching for a bronze chest full of gold that some old man by the name of Forrest Burke Fenn had claimed to have placed somewhere out there in the wild for them to have put their faith in to have actually ever had a true and legitimate chance at finding. Fenn clearly failed us all in the end, as did everyone else working *for* and or *with* him on the Chase.

172. Defendants should just settle with Plaintiffs, because they clearly are not going to win this, and Fenn's *legacy* is already all but destroyed anyhow, Fenn made sure to all but take care of that himself before passing on, so why go and make it all any worse than it already is, for anyone, because all that is really left over now is the *money*, and which is known to be the root of all evil, but it always was, and still is, Fenn's own money that he himself decided to recklessly gamble with in all of this, and now it is clearly beyond time for Defendants to settle and pay up and finally make things right with Plaintiffs before this all drags on for too long and for too far, and then where it's simply going to be too late for Defendants to do the right thing because, believe it or not, there's still a pretty good chance that some people will likely be going to prison yet over some of this concerning their actions, or rather their lack thereof.

173. Defendants in a legal action does not have to actually be guilty of or have knowingly taken part in a fraudulent action in order to then later be held legally liable for their own part played in the fraud, and therefore that is exactly why Defendant Collected Works Bookstore and Coffeehouse is being named within this suit for being the official seller of Fenn's '*The Thrill of the Chase*', as well as other works, and benefiting into the millions of dollars overall from it.

174. Aside from this Complaint in this District Court of New Mexico, Plaintiffs will be filing official Complaints with the *Attorney Generals* of all pertinent states involved in the Chase **demanding**

that all those listed herein as Defendants and or otherwise be investigated for any and all possible further criminal and or civil violations of law that can then be acted upon against them, including, but not limited to the states of *New Mexico, Colorado, Wyoming, Montana, Texas, Arizona and Washington state*.

175. Plaintiff's aren't going anywhere, they will not be bullied, they will not be harassed, they will not be ignored nor discarded any longer, not by anyone nor anything, and they right here and right now demand and expect nothing less than full and absolute justice.

LIST OF EVIDENCE EXHIBITS AS ATTACHMENT IN COMPLAINT

176. Please refer to **Exhibit #1** for an extensive list too numerous and cumbersome to include within the main body of this Complaint.

FINAL CLOSING STATEMENT(S) OF COMPLAINT

177. This Court had ordered Plaintiffs to amend their original Complaint, one that specifically stated their legal position against Defendants, and which they have now done to the best of their abilities, and at the same time denying them their motion for the appointment of legal counsel, and no legal loophole or other such trapdoor event should ever be grounds to try and circumvent true justice from being served in this matter, and especially before it has even gone past the first few steps.

178. Fenn started a wild treasure hunt that clearly, as well as originally, had a much deeper *personal reasoning* and *overall meaning* for him ever having done so in the first place, and which is now **COMPLETELY LACKING** and **ABSOLUTELY AMISS** with the current "finder" Stuef and his own *fantastically bizarre reasonings* and *completely hollow explanations* for it all, same as with Old and the remaining Fenn family, legal counsel Sommer, close Fenn associate

Neitzel along with any and all other such Fenn cronies, and before he died Fenn didn't do any better than Stuef at going about explaining it all, not in the slightest, and simply because it's all a fraud in the end that was long ago replaced with the obviously correct solve and ending by the Plaintiffs, and the evidence and proof now presented clearly says so.

179. Multiple searchers had needlessly died, and many more were hurt, lost, divorced, bankrupted and so forth, directly because of Fenn's own selfish desire for immortality and fame, and with deceased searcher Bilyeu from early 2016 being the only searcher that should have ever knowingly perished in this whole wreck of a, and what is certainly now, scam and fraud, yet another five (5!) or more searchers were known to have needlessly perished after Bilyeu.

180. Justice is not served when Courts turn a blatantly blind eye, such as has been the case in previous legal battles involving the looting and trading of illicit Native artifacts and otherwise, and where a judicial officer states on record that it's "a *way of life*", the breaking of local, state and or federal laws at will, by the *good* folks around those there parts, mainly the Southwest and the Four Corners region.

181. The world is watching, this is of permanent public record, and is now a part of Fenn's lasting legacy that he had always craved and desired, and just as they say; be careful what you wish for because you just might get it, and no more has that preminiscent statement been truer for Fenn, Stuef, Old, the other Defendants and the rest of the Fenn family, close associates and other such deeply invested cronies than now.

182. Although not required within an initial Complaint filing for Plaintiffs to cite specific laws and or previous rulings to back up their claims, whether any Court, or any of the Defendants and

or their legal counsel, will attempt to try and defeat this Complaint via mere technicalities, Plaintiffs now point everyone to a recent ruling in a claim concerning Fenn and the Estate by *Chief New Mexico District Court Judge The Honorable William P. Johnson in Hanson v. Fenn* that issues brought before the Court will be ruled on by their overall merits, not disposed of on mere technicalities. “*Additionally, while the Local Rules allow the Court to construe a motion as unopposed when no timely response in opposition is filed, LR-Civ. 7.1(b), the Court nevertheless retains discretion to consider the motion on its merits, particularly when the nature of the motion can allow for the reasonable assumption that it is opposed. The Court is of the view that the interests of justice are better served by deciding issues on their merits, rather than disposing of them on technicalities.*” (emphasis added), and although this specific ruling was clearly in favor of Fenn, it still stands to reason that such views would apply to anyone coming before the Court as a Plaintiff or Defendant.

183. Plaintiffs, and just as they had originally and very *kindly* and *fairly* offered in their *Creditor Demand letter* to the Estate prior to this *forced legal action*, may still be willing to settle this matter out of court, but that is *completely* up to a group of Defendants who are so dug in with their heels that they cannot, or rather simply *refuse* to, see the proverbial Forrest (Fenn) through the trees. You can lead a horse to water but you can’t make them drink it, and *this very unfortunate situation* that Plaintiffs currently find themselves in with Defendants is truly no different.

184. Plaintiffs vigorously demand, because anything less would be personally, morally and unconscionably lacking on their parts, that this Court, along with any and all other such truly few legitimate parties considering this Complaint, keep in mind that justice is never served when

good people do absolutely nothing about bad people and their despicable and immoral actions, especially in such a **blatantly obvious and ongoing fraud** as this, and that **blatantly obvious and ongoing fraud** is absolutely emblazoned all over it, and it must stop and finally be made right, all of it, and simply because **justice** demands it, and before yet another, now totally and completely delusional, searcher, and who actually believes that the Chest is still out there yet to be found, goes and gets themselves either hurt or killed looking for it, not to mention that said Chest and all of its contents is truly and rightfully the, all but now, stolen property of the Plaintiffs, and they definitely want it returned. Fenn's ongoing shenanigans, still being carried on after his death by all the Defendants listed herein to one degree or another, have hurt and killed enough people already, and **enough is enough**.

185. Over and over again, it all ends up back in a **kiva**, and specifically the sipapu of Kiva B out at San Lazaro *south of Santa Fe*. Fenn is caught on undercover video and audio discussing a **kiva**. Sather is caught on undercover video and audio out in a **kiva** in Utah. Then there's an **entire book**, *Lost Kivas*, written about Fenn's **kivas** at his own personal request mere months before launching his Chase, and a book that was **never spoken of** by Fenn, nor that of its author Hajovsky, and which is clearly the correct and only true solution to Fenn's Chase.

RELIEF SOUGHT IN COMPLAINT

186. Plaintiffs are *requesting* and *praying* for relief in; **(a.)** the amount of \$10,000,000 (ten million dollars), including but not limited to compensatory and punitive damages, from Zoe Fenn Old and The Estate of Forrest Burke Fenn, **(b.)** the transfer of the full and clear title and deed of the San Lazaro Pueblo Ruins located in Santa Fe County with parcel# 78902055 at 235 Old Cash Ranch RD in Cerrillos, NM 87010 from San Lazaro Holding Company LLC to then be

gifted to either the Native Pueblo Ancestors of San Lazaro, and if none can be properly and or legally ascertained then donated to the BLM or other such proper conservator for its final disposition, (c.) the amount of \$1,000,000 (one million dollars), including but not limited to compensatory and punitive damages, along with the infamous Fenn turquoise belt buckle, from Shiloh Forrest Old, (d.) the relinquishing of any and all current, previous and or future possible rights to the San Lazaro Pueblo Ruins, as well as the transfer of the full and clear title and deed to the property located in Santa Fe County with parcel# 910011525 at 444 Old Cash Ranch RD in Cerrillos, NM 87010 from William Bradley Sather, (e.) any and all income and or profits ever derived from the sale of '*The Thrill of the Chase*' from Collected Works Bookstore and Coffeehouse to then be donated in-full to a proper and public-facing cancer charity of Plaintiff's own choosing, (f.) and, finally, the bronze treasure Chest with any and all of its contents, including but not limited to gold, jewelry, artifacts and everything and anything else related to it fully intact, including the infamous 22-bead silver and turquoise row bracelet that was not ever his to give, along with any and all publicity rights, as well as any and all other such real and or imagined rights thereto concerning the Chase in perpetuity from Jonathan Kenneth Stuef aka Jack Stuef.

REQUEST FOR SUMMARY JUDGEMENT

187. In view of the overwhelming proof and undeniable evidence now provided herein, Plaintiff's request that this Court award ***Summary Judgement*** in full favor of Plaintiffs against Defendants, in not only what is *right* and *moral*, but also in the *absolute* and *pure pursuit* of ***justice*** - <https://dictionary.law.com/Default.aspx?selected=1086>

188. I declare under penalty of perjury under the laws of the State of New Mexico that the foregoing is true and correct.

Respectfully submitted,

/s/ Kyle Sandau June 30, 2021

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